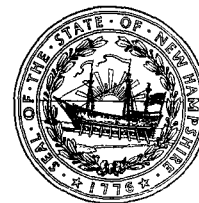




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

Mr. Charles Rage  
Pelham Resort Hotel  
121 Ocean Blvd  
Hampton, New Hampshire 03842

LETTER OF DEFICIENCY  
WMB PBP 06-011  
July 19, 2006

Dear Mr. Rage:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Wq 1100 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On July 12, 2006, DES inspected the following public bathing facilities at the Ships Inn in Hampton, NH: the outdoor pool ("Pool").

During this inspection, the following deficiencies were noted:

1. A recommendation to close the Pool was issued on July 12, 2006. The inspection on July 12, 2006 revealed that the Pool was in violation of Env-Wq 1105.10 and unsafe for public use. The following bacterial violations were observed in the Pool water:
  - a. Pursuant to Env-Wq 1105.10(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Pool water contained 53 CTS/100mL of total coliform bacteria.
  - b. Pursuant to Env-Wq 1105.10(a)(2) the maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Pool water contained greater than 200 CTS/100mL.
2. Env-Wq 1105.10(b)(6a) requires a free residual chlorine concentration between 1.0 mg/L and 5.0 mg/L in public pool water. The free chlorine residual of the Pool water was approximately 0.20 mg/L. A recommendation to superchlorinate the pool was made at the time of the inspection.
3. Env-Wq 1105.10(b)(8) requires a combined chlorine concentration of less than 0.5 mg/L in a public bathing facility. The combined chlorine concentration of the Pool water was approximately 0.99 mg/L on July 12, 2006.
4. Env-Wq 1106.04(a)(2) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a working flow meter.

DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. A timetable of when:
  - a. the installation or repairs of the flow meter will be completed.

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DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Wq 1101-1105. After a violation of Env-Wq 1105.10(a)-(d), the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Wq 1101-1110 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.nh.gov/Pools/>

Sincerely,  
  
Jody Conston  
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7309

Enclosures

cc: Gretchen R. Hamel, Legal Unit Administrator, DES ✓  
Kevin Schultz, Health Officer, Town of Hampton

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